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Convention on the Rights of the Child

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Committee on the Rights of the Child
Seventy-first session
13-30 September 2016
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the combined second to fourth periodic reports of Estonia

The State party is requested to submit, in writing, additional updated information, if possible before 1 June 2016 (10,700 words maximum).

The Committee may take up any aspect of children's rights set out in the Convention during the dialogue with the State party.

Part I

In this section, the State party is requested to submit its responses to the following questions.

1. Please provide the Committee with information on how children's best interests were taken into consideration during the process of elaborating the new Child Protection Act and the draft law on combating the sexual abuse and sexual exploitation of children and child pornography.

2. Please explain how the Child Protection Act defines the responsibilities of national and local authorities in guaranteeing the protection of children. Regarding the Parental Benefits Act of 2004, please describe the measures taken and the results thereof to ensure that both parents benefit equally from its provisions in practice.

3. Please clarify how the Ministry of Social Affairs ensures effective coordination in the areas of education and health, which have their own separate strategy documents and are overseen by the ministries of education and health, respectively.

4. In relation to access to appropriate information, please inform the Committee of measures taken, and the results thereof, to prevent children from accessing content of a sexual nature and other harmful content available on the Internet.

5. With reference to age of marriage, set at 15, please provide information on whether the State party envisages raising it to 18 in all circumstances.

6. In relation to the information provided in paragraph 327 of the State party report, please provide information on the main findings of the various surveys and the measures

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taken to address such findings. Please elaborate on the measures taken to promote the rights of children with disabilities to adequate health care and inclusive education.

7. Please inform the Committee how reproductive health, responsible parenthood and the prevention of sexually transmitted diseases have been integrated in the new basic school and upper secondary school curricula.

8. Please update the Committee with information on measures taken to address suicide rates among children. Please provide information on the legal framework regulating rehabilitation services for children with addiction problems and how the best interests of the child, her or his rights to privacy, and the right to education are respected.

9. Please provide the Committee with information on the results of short-term measures aimed at increasing employment and alleviating poverty among children in families in which no members work, and the impact of those measures on child poverty. Please provide information on the measures taken and envisaged to address child poverty, including a comprehensive strategy, in particular in rural areas and in the north-east of the country.

10. Please provide information on the mechanisms available to children deprived of their liberty to report human rights abuses and violations.

11. Please provide information on the situation of unaccompanied children and children with families in the Expulsion Centre of the Police and Border Guard Board. Please clarify how detention of children is used only as a last resort and for the shortest time possible, and the measures taken to implement the recommendations made by the Chancellor of Justice in 2013 to improve the conditions for children in the Expulsion Centre.

12. Please clarify how the requirement to file a police report for presumed victims to receive State support ensures the protection of child victims. Please provide information on the handling of cases involving children reported to the anti-trafficking hotline. Please inform the Committee of the measures taken to ensure the protection of potential trafficking victims detained in deportation centres.

13. With reference to the Committee's previous recommendations, from 2010, on the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/EST /CO/1), please provide the Committee with information on:

(a) Development and implementation of a comprehensive and systematic mechanism for disaggregated data collection, analysis and monitoring relating to all the areas covered by the Optional Protocol;

(b) Measures taken to extend the limitation period to cover all offences under the Optional Protocol and to abolish the requirement of dual criminality for domestic prosecution and/or extradition of individuals accused of crimes committed abroad, and establish it as a rule and not as an exception according to article 8 of the Penal Code;

(c) How child victims of offences under the Optional Protocol have benefited from protection measures, including legal counsel during criminal proceedings, access to residence permits, social and psychological support and compensation.

Part II

In this section, the Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

(a) New bills and laws, and their respective regulations, including:

(i) The new Child Protection Act;

(ii) The new law on combating the sexual abuse and sexual exploitation of children and child pornography; and the text of the amendments to the penal code to define the offences in the Optional Protocol;

(iii) The Parental Benefit Act;

(iv) The Juvenile Sanction Act;

(v) The Victim Support Act;

(b) New institutions and their mandates, and institutional reforms;

(c) Recently introduced policies, programmes and action plans, and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

1. Please provide consolidated budget information for the past three years on budget lines allocated for children and social and justice sectors, indicating each budget line as a percentage of the total national budget and gross national product, and geographic allocation.

2. Please provide data, disaggregated by age, sex, socioeconomic background, national origin and geographical location, regarding the situation of children deprived of a family environment, for the past three years, on the number of children that have been:

(a) Separated from their parents;

(c) Placed in institutions;

(d) Placed with foster families;

(e) Adopted domestically or through intercountry adoptions.

3. Please provide data, disaggregated by age, sex, type of disability, national origin and geographical location, for the past three years on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Not attending school;

(g) Abandoned by their families.

4. Please provide detailed and disaggregated information, for the past three years, on the complaints received by the Ombudsman for Children, including how many complaints led to investigations and prosecutions and the number and type of convictions applied to perpetrators.

5. Regarding the measures taken to combat human trafficking and the 2012 anti-trafficking law, please provide detailed information on cases involving children, namely the number of reported cases, investigations conducted, the number of convictions and the sentences issued.

6. Please provide detailed information on the number of reported cases, investigations conducted, the number of convictions and the sentences issued in cases of sale of children, child pornography and child prostitution.

7. Please provide the Committee with an update of any data in the report that may have become outdated as a result of more recent data collected or other new developments.

8. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention